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Bay Area Herbs & Specialties, LLC

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BAY AREA HERBS & SPECIALTIES, LLC,

Plaintiff,

v.

THE PRODUCE COMPANY dba
WESTSIDE PRODUCE; CHARLES
O'NEIL; SUSIE O'NEIL; and ELAINE
O'NEIL,

Defendants.

CASE NO. C 08-05466 BZ

**CASE MANAGEMENT
CONFERENCE STATEMENT &
REQUEST TO CONTINUE CMC; ORDER
THEREON**

CMC Date: June 1, 2009

CMC Time: 4:00 p.m.

**CMC Place: Ctrm. G, 15th Floor
San Francisco**

Plaintiff Bay Area Herbs & Specialties, LLC respectfully requests that the Case Management Conference and the associated dates be continued for an additional 30-60 days. Defendants have been served and have not responded to the Complaint and Summons. The proofs of service and request for default were just filed. Plaintiff has not yet filed a Motion for Default Judgment, although it will do so within two weeks. The papers have been drafted; however, they are not yet complete. Plaintiff's attorney had intended to file these papers well before now; however, her brother became very ill and passed away on April 26. Consequently, she got behind, but she is catching up and will file the motion for default judgment shortly.

1 In sum, Plaintiff respectfully requests that the Case Management Conference be
2 continued for 30-60 days.

3 I declare under penalty of perjury under the laws of the United States that the foregoing is
4 true and correct.

5 Date: May 25, 2009

RYNN & JANOWSKY, LLP

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7 By: /s/ Marion I. Quesenbery
MARION I. QUESENBERY
Attorneys for Plaintiff

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9 **IT IS SO ORDERED. The Case Management Conference is continued to**
10 **JULY 27, 2009, at 4:00 p.m., in Courtroom G, 15th Floor, San**
11 **Francisco.**

12
13 Date: May 26, 2009

